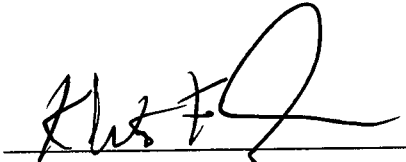


I certify this to be a true and correct
copy of the indicated document as
referred or transmitted to committee.

Chief Clerk of the House

FILED FEB 19 2003

By:



H.J.R. No. 51

A JOINT RESOLUTION

proposing a constitutional amendment to establish a two-year period
for the redemption of a mineral interest sold for unpaid ad valorem
taxes at a tax sale.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 13(c) and (d), Article VIII, Texas
Constitution, are amended to read as follows:

(c) The former owner of a residence homestead, ~~[sold for
unpaid taxes and the former owner of]~~ land designated for
agricultural use, or a mineral interest sold for unpaid taxes shall
within two years from date of the filing for record of the
Purchaser's Deed have the right to redeem the property on the
following basis:

(1) Within the first year of the redemption period,
upon the payment of the amount of money paid for the property,
including the Tax Deed Recording Fee and all taxes, penalties,
interest, and costs paid plus an amount not exceeding 25 percent of
the aggregate total; and

(2) Within the last year of the redemption period,
upon the payment of the amount of money paid for the property,
including the Tax Deed Recording Fee and all taxes, penalties,
interest, and costs paid plus an amount not exceeding 50 percent of
the aggregate total.

(d) If the residence homestead or land designated for
agricultural use ~~[property]~~ is sold pursuant to a suit to enforce

1 the collection of the unpaid taxes, the Legislature may limit the
2 application of Subsection (c) of this section to property used as a
3 residence homestead when the suit was filed and to land designated
4 for agricultural use when the suit was filed.

5 SECTION 2. The following temporary provision is added to
6 the Texas Constitution:

7 TEMPORARY PROVISION. (a) This temporary provision applies
8 to the constitutional amendment proposed by the 78th Legislature,
9 Regular Session, 2003, to establish a two-year period for the
10 redemption of a mineral interest sold for unpaid ad valorem taxes at
11 a tax sale and expires January 1, 2005.

12 (b) The amendments to Sections 13(c) and (d), Article VIII,
13 of this constitution, take effect January 1, 2004, and apply only to
14 the redemption of a mineral interest sold at a tax sale for which
15 the purchaser's deed is filed for record on or after January 1,
16 2004. The redemption of a mineral interest sold at a tax sale for
17 which the purchaser's deed is filed for record before January 1,
18 2004, is covered by the law in effect when the deed is filed, and the
19 former law is continued in effect for that purpose.

20 SECTION 3. This proposed constitutional amendment shall be
21 submitted to the voters at an election to be held November 4, 2003.
22 The ballot shall be printed to permit voting for or against the
23 proposition: "The constitutional amendment to establish a two-year
24 period for the redemption of a mineral interest sold for unpaid ad
25 valorem taxes at a tax sale."

HOUSE COMMITTEE REPORT

03 APR -9 PM 8:06
HOUSE OF REPRESENTATIVES

1st Printing

By: Flores

H.J.R. No. 51

A JOINT RESOLUTION

1 proposing a constitutional amendment to establish a two-year period
2 for the redemption of a mineral interest sold for unpaid ad valorem
3 taxes at a tax sale.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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10 within two years from date of the filing for record of the
11 Purchaser's Deed have the right to redeem the property on the
12 following basis:

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14 upon the payment of the amount of money paid for the property,
15 including the Tax Deed Recording Fee and all taxes, penalties,
16 interest, and costs paid plus an amount not exceeding 25 percent of
17 the aggregate total; and

18 (2) Within the last year of the redemption period,
19 upon the payment of the amount of money paid for the property,
20 including the Tax Deed Recording Fee and all taxes, penalties,
21 interest, and costs paid plus an amount not exceeding 50 percent of
22 the aggregate total.

23 (d) If the residence homestead or land designated for
24 agricultural use ~~[property]~~ is sold pursuant to a suit to enforce

1 the collection of the unpaid taxes, the Legislature may limit the
2 application of Subsection (c) of this section to property used as a
3 residence homestead when the suit was filed and to land designated
4 for agricultural use when the suit was filed.

5 SECTION 2. The following temporary provision is added to
6 the Texas Constitution:

7 TEMPORARY PROVISION. (a) This temporary provision applies
8 to the constitutional amendment proposed by the 78th Legislature,
9 Regular Session, 2003, to establish a two-year period for the
10 redemption of a mineral interest sold for unpaid ad valorem taxes at
11 a tax sale and expires January 1, 2005.

12 (b) The amendments to Sections 13(c) and (d), Article VIII,
13 of this constitution, take effect January 1, 2004, and apply only to
14 the redemption of a mineral interest sold at a tax sale for which
15 the purchaser's deed is filed for record on or after January 1,
16 2004. The redemption of a mineral interest sold at a tax sale for
17 which the purchaser's deed is filed for record before January 1,
18 2004, is covered by the law in effect when the deed is filed, and the
19 former law is continued in effect for that purpose.

20 SECTION 3. This proposed constitutional amendment shall be
21 submitted to the voters at an election to be held November 4, 2003.
22 The ballot shall be printed to permit voting for or against the
23 proposition: "The constitutional amendment to establish a two-year
24 period for the redemption of a mineral interest sold for unpaid ad
25 valorem taxes at a tax sale."

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

4/08/03
(date)

Sir:

We, your COMMITTEE ON LOCAL GOVERNMENT WAYS AND MEANS
to whom was referred HJR 51 have had the same under consideration and beg to report
back with the recommendation that it

(☒) do pass, without amendment.
() do pass, with amendment(s).
() do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

(☒) yes () no A fiscal note was requested.
() yes (☒) no A criminal justice policy impact statement was requested.
() yes (☒) no An equalized educational funding impact statement was requested.
() yes (☒) no An actuarial analysis was requested.
() yes (☒) no A water development policy impact statement was requested.
() yes (☒) no A tax equity note was requested.
() The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

Joint Sponsors: _____ / _____ / _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Hill, Chair	<input checked="" type="checkbox"/>			
Hegar, Vice-chair	<input checked="" type="checkbox"/>			
Laubenberg	<input checked="" type="checkbox"/>			
McReynolds	<input checked="" type="checkbox"/>			
Mowery	<input checked="" type="checkbox"/>			
Puente	<input checked="" type="checkbox"/>			
Quintanilla	<input checked="" type="checkbox"/>			

Total 7 aye
 0 nay
 0 present, not voting
 0 absent

CHAIR Tom Hill

BILL ANALYSIS

H.J.R. 51
By: Flores
Local Government Ways and Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, the redemption period concerning mineral tax rolls gives the foreclosed owner only six months to reclaim their lost property. Mineral tax rolls, as opposed to real property rolls, are not prepared by the appraisal districts from the official records of the county where the property is located. The records used for preparation of the rolls come from private industry and may be incomplete and contain inaccurate data. In many cases the foreclosed owner is never informed of the taxes owed or the repossession of their mineral royalties. If a foreclosed owner does not receive notification of the sale, he is entirely dependent upon the actions of others. The current time allotment of six months may not provide the royalty owner enough time to settle his claims in court, resulting in the owner not having any right of redemption after he receives notice of the foreclosure.

H.J.R. 51 proposes a constitutional amendment to establish a two-year period for the redemption of a mineral interest for unpaid ad valorem taxes at a tax sale. The constitutional amendment increases the redemption period of a mineral interest from a six month period to a two-year period. The foreclosed owner can then redeem their ownership by paying the amounts listed in Sections 13 (c) and (d), Article VIII, Texas Constitution.

RULEMAKING AUTHORITY

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1

Amends Sections 13 (c) and (d), Article VIII, Texas Constitution, as follows:

(c) Provides that an owner of a mineral interest whose property has been sold for unpaid taxes shall have the right to redeem their property by meeting certain conditions within two years from date of the filing for record of the Purchaser's Deed.

(d) Deletes property and modifies it to specifically refer to a residence homestead or land designated for agricultural use.

SECTION 2

Adds a temporary provision to the Texas Constitution as follows:

TEMPORARY PROVISION. (a) Makes the temporary provision applicable to the constitutional amendment proposed under this Act that would establishes a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale and expires January 1, 2005.

(b) Provides that the amendments to Sections 13 (a) and (d), apply only to the redemption of mineral interest sold at a tax sale for which the purchaser's deed is filed for record on or after January 1, 2004; all other sales of mineral interest filed before this date are subject to the law in effect when the deed is filed.

FOR ELECTION

November 4, 2003.

H.J.R. 51 78(R)

SUMMARY OF COMMITTEE ACTION

HJR 51

April 3, 2003 8:00AM

Considered in public hearing

Testimony taken in committee (See attached witness list.)

Left pending in committee

April 8, 2003 upon lunch recess

Considered in formal meeting

Reported favorably without amendment(s)

x 2

WITNESS LIST

**HJR 51
HOUSE COMMITTEE REPORT
Local Government Ways and Means Committee**

April 3, 2003 - 8:00AM

**For: Vinson, David P. (Self and National Association of
Royalty Owners - Texas)**

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 2, 2003

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR51 by Flores (Proposing a constitutional amendment to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale.), As Introduced

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, SD, WP, DLBe

HOUSE ENGROSSMENT

By: Flores

H.J.R. No. 51

A JOINT RESOLUTION

1 proposing a constitutional amendment to establish a two-year period
2 for the redemption of a mineral interest sold for unpaid ad valorem
3 taxes at a tax sale.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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6 Constitution, are amended to read as follows:

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8 ~~unpaid taxes and the former owner of]~~ land designated for
9 agricultural use, or a mineral interest sold for unpaid taxes shall
10 within two years from date of the filing for record of the
11 Purchaser's Deed have the right to redeem the property on the
12 following basis:

13 (1) Within the first year of the redemption period,
14 upon the payment of the amount of money paid for the property,
15 including the Tax Deed Recording Fee and all taxes, penalties,
16 interest, and costs paid plus an amount not exceeding 25 percent of
17 the aggregate total; and

18 (2) Within the last year of the redemption period,
19 upon the payment of the amount of money paid for the property,
20 including the Tax Deed Recording Fee and all taxes, penalties,
21 interest, and costs paid plus an amount not exceeding 50 percent of
22 the aggregate total.

23 (d) If the residence homestead or land designated for
24 agricultural use ~~[property]~~ is sold pursuant to a suit to enforce

1 the collection of the unpaid taxes, the Legislature may limit the
2 application of Subsection (c) of this section to property used as a
3 residence homestead when the suit was filed and to land designated
4 for agricultural use when the suit was filed.

5 SECTION 2. The following temporary provision is added to
6 the Texas Constitution:

7 TEMPORARY PROVISION. (a) This temporary provision applies
8 to the constitutional amendment proposed by the 78th Legislature,
9 Regular Session, 2003, to establish a two-year period for the
10 redemption of a mineral interest sold for unpaid ad valorem taxes at
11 a tax sale and expires January 1, 2005.

12 (b) The amendments to Sections 13(c) and (d), Article VIII,
13 of this constitution, take effect January 1, 2004, and apply only to
14 the redemption of a mineral interest sold at a tax sale for which
15 the purchaser's deed is filed for record on or after January 1,
16 2004. The redemption of a mineral interest sold at a tax sale for
17 which the purchaser's deed is filed for record before January 1,
18 2004, is covered by the law in effect when the deed is filed, and the
19 former law is continued in effect for that purpose.

20 SECTION 3. This proposed constitutional amendment shall be
21 submitted to the voters at an election to be held November 4, 2003.
22 The ballot shall be printed to permit voting for or against the
23 proposition: "The constitutional amendment to establish a two-year
24 period for the redemption of a mineral interest sold for unpaid ad
25 valorem taxes at a tax sale."

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 2, 2003

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR51 by Flores (Proposing a constitutional amendment to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale.), **As Introduced**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, SD, WP, DLBe

1-1 By: Flores (Senate Sponsor - Staples) H.J.R. No. 51
1-2 (In the Senate - Received from the House April 30, 2003;
1-3 May 7, 2003, read first time and referred to Committee on Natural
1-4 Resources; May 13, 2003, rereferred to Committee on Finance;
1-5 May 23, 2003, reported favorably by the following vote: Yeas 12,
1-6 Nays 0; May 23, 2003, sent to printer.)

1-7 HOUSE JOINT RESOLUTION

1-8 proposing a constitutional amendment to establish a two-year period
1-9 for the redemption of a mineral interest sold for unpaid ad valorem
1-10 taxes at a tax sale.

1-11 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Sections 13(c) and (d), Article VIII, Texas
1-13 Constitution, are amended to read as follows:

1-14 (c) The former owner of a residence homestead, ~~[sold for~~
1-15 ~~unpaid taxes and the former owner of]~~ land designated for
1-16 agricultural use, or a mineral interest sold for unpaid taxes shall
1-17 within two years from date of the filing for record of the
1-18 Purchaser's Deed have the right to redeem the property on the
1-19 following basis:

1-20 (1) Within the first year of the redemption period,
1-21 upon the payment of the amount of money paid for the property,
1-22 including the Tax Deed Recording Fee and all taxes, penalties,
1-23 interest, and costs paid plus an amount not exceeding 25 percent of
1-24 the aggregate total; and

1-25 (2) Within the last year of the redemption period,
1-26 upon the payment of the amount of money paid for the property,
1-27 including the Tax Deed Recording Fee and all taxes, penalties,
1-28 interest, and costs paid plus an amount not exceeding 50 percent of
1-29 the aggregate total.

1-30 (d) If the residence homestead or land designated for
1-31 agricultural use [property] is sold pursuant to a suit to enforce
1-32 the collection of the unpaid taxes, the Legislature may limit the
1-33 application of Subsection (c) of this section to property used as a
1-34 residence homestead when the suit was filed and to land designated
1-35 for agricultural use when the suit was filed.

1-36 SECTION 2. The following temporary provision is added to
1-37 the Texas Constitution:

1-38 TEMPORARY PROVISION. (a) This temporary provision applies
1-39 to the constitutional amendment proposed by the 78th Legislature,
1-40 Regular Session, 2003, to establish a two-year period for the
1-41 redemption of a mineral interest sold for unpaid ad valorem taxes at
1-42 a tax sale and expires January 1, 2005.

1-43 (b) The amendments to Sections 13(c) and (d), Article VIII,
1-44 of this constitution, take effect January 1, 2004, and apply only to
1-45 the redemption of a mineral interest sold at a tax sale for which
1-46 the purchaser's deed is filed for record on or after January 1,
1-47 2004. The redemption of a mineral interest sold at a tax sale for
1-48 which the purchaser's deed is filed for record before January 1,
1-49 2004, is covered by the law in effect when the deed is filed, and the
1-50 former law is continued in effect for that purpose.

1-51 SECTION 3. This proposed constitutional amendment shall be
1-52 submitted to the voters at an election to be held November 4, 2003.
1-53 The ballot shall be printed to permit voting for or against the
1-54 proposition: "The constitutional amendment to establish a two-year
1-55 period for the redemption of a mineral interest sold for unpaid ad
1-56 valorem taxes at a tax sale."

1-57 * * * * *

FAVORABLE
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR (HJR) SI
By Staples
(Author/Senate Sponsor)
5-23-03
(date)

Sir:

We, your Committee on FINANCE, to which was referred the attached measure,
have on 5-22-03, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

- ☒ do pass and be printed
☐ do pass and be ordered not printed
☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Bivins, Chair	<input checked="" type="checkbox"/>			
Senator Zaffirini, Vice Chair	<input checked="" type="checkbox"/>			
Senator Averitt	<input checked="" type="checkbox"/>			
Senator Barrientos	<input checked="" type="checkbox"/>			
Senator Brimer	<input checked="" type="checkbox"/>			
Senator Duncan	<input checked="" type="checkbox"/>			
Senator Janek			<input checked="" type="checkbox"/>	
Senator Nelson	<input checked="" type="checkbox"/>			
Senator Ogden	<input checked="" type="checkbox"/>			
Senator Shapiro	<input checked="" type="checkbox"/>			
Senator Shapleigh	<input checked="" type="checkbox"/>			
Senator Staples			<input checked="" type="checkbox"/>	
Senator West	<input checked="" type="checkbox"/>			
Senator Whitmire	<input checked="" type="checkbox"/>			
Senator Williams			<input checked="" type="checkbox"/>	
TOTAL VOTES	<u>12</u>		<u>3</u>	

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken

Stephanie Hoover
COMMITTEE CLERK

Bin
CHAIR

Paper clip the original and one copy of this signed form to the original bill
Retain one copy of this form for Committee files

WITNESS LIST

HJR 51

SENATE COMMITTEE REPORT

Finance

May 22, 2003 - 8:00AM

Registering, but not testifying:

FOR: Vinson, David Mineral Manager (Nat'l. Assoc. of Royalty Owners - Texas), Tyler, TX

BILL ANALYSIS

Senate Research Center
78R2783 JD-D

H.J.R. 51
By: Flores (Staples)
Finance
5/14/2003
Engrossed

DIGEST AND PURPOSE

Under current law, the redemption period concerning mineral tax rolls gives the foreclosed owner only six months to reclaim their lost property. Mineral tax rolls, as opposed to real property rolls, are not prepared by the appraisal districts from the official records of the county where property is located. The records used for preparation of the rolls come from private industry and may be incomplete and contain inaccurate data. In many cases the foreclosed owner is never informed of the taxes owed or repossession of their mineral royalties. If a foreclosed owner does not receive notification of the sale, the owner is entirely dependent upon the actions of others. H.J.R. 51 proposes a constitutional amendment to establish a two-year period for the redemption of a mineral interest for unpaid ad valorem taxes at a tax sale. The constitutional amendment increases the redemption period of a mineral interest from a six month period to a two-year period. The foreclosed owner can then redeem ownership by paying the amounts listed in Section 13(c) and (d), Article VIII, Texas Constitution.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 13(c) and (d), Article VIII, Texas Constitution, as follows:

(c) Adds a mineral interest sold for unpaid taxes to the list of types of property a former owner has the right to redeem within two years from the date of the filing for record of the Purchaser's Deed if certain conditions apply. Makes a nonsubstantive change.

(d) Authorizes the legislature, if the residence homestead or land designated for agricultural use, rather than property, is sold pursuant to a suit to enforce the collection of unpaid taxes, to limit the application of Subsection (c) of this section to property used as a residence homestead when the suit was filed and to land designated for agricultural use when the suit was filed.

SECTION 2. TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by the 78th Legislature, Regular Session, 2003, to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale and expires January 1, 2005.

(b) Makes the application of the amendments to Sections 13(c) and (d), Article VIII, of this constitution prospective to January 1, 2004.

SECTION 3. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 2003. Requires the ballot to be printed to permit voting for or against this certain proposition.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION
Revision 1

May 14, 2003

TO: Honorable Teel Bivins, Chair, Senate Committee on Finance

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR51 by Flores (Proposing a constitutional amendment to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale.), **As Engrossed**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, CL, SD, WP, DLBe

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 2, 2003

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR51 by Flores (Proposing a constitutional amendment to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale.), **As Introduced**

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Local Government Impact

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Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, SD, WP, DLBe

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that HR 51, by Staples,
(Bill No.) (Author/Sponsor)

was heard by the Committee on Finance on 5-22, 2003,

and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Stephanie Hoover
(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

ADOPTED

MAY 27 2003

Atty Gen
Secretary of the Senate

msb
JC
CT
ASB

FLOOR AMENDMENT NO.

1 *ca 51*

BY:

Todd Stipan

Amend H.J.R. 51 (Senate Committee Printing) page 1, lines 51-56

by striking Section 3 and insert in its place the following:

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held September 13, 2003. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale."

Insert A 7

SENATE AMENDMENTS

13 MAY 27 PM 6:18

2nd Printing

HOUSE OF REPRESENTATIVES

By: Flores

H.J.R. No. 51

A JOINT RESOLUTION

1 proposing a constitutional amendment to establish a two-year period
2 for the redemption of a mineral interest sold for unpaid ad valorem
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9 agricultural use, or a mineral interest sold for unpaid taxes shall
10 within two years from date of the filing for record of the
11 Purchaser's Deed have the right to redeem the property on the
12 following basis:

13 (1) Within the first year of the redemption period,
14 upon the payment of the amount of money paid for the property,
15 including the Tax Deed Recording Fee and all taxes, penalties,
16 interest, and costs paid plus an amount not exceeding 25 percent of
17 the aggregate total; and

18 (2) Within the last year of the redemption period,
19 upon the payment of the amount of money paid for the property,
20 including the Tax Deed Recording Fee and all taxes, penalties,
21 interest, and costs paid plus an amount not exceeding 50 percent of
22 the aggregate total.

23 (d) If the residence homestead or land designated for
24 agricultural use ~~[property]~~ is sold pursuant to a suit to enforce

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 2, 2003

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR51 by Flores (Proposing a constitutional amendment to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale.), As Introduced

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

Local Government Impact

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Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, SD, WP, DLBe

2

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 28, 2003

TO: Honorable Tom Craddick, Speaker of the House, House of Representatives

FROM: John Keel, Director, Legislative Budget Board

IN RE: HJR51 by Flores (Proposing a constitutional amendment to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale.), **As Passed 2nd House**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

Local Government Impact

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Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, CL, SD, WP, DLBe

1 the collection of the unpaid taxes, the Legislature may limit the
2 application of Subsection (c) of this section to property used as a
3 residence homestead when the suit was filed and to land designated
4 for agricultural use when the suit was filed.

5 SECTION 2. The following temporary provision is added to
6 the Texas Constitution:

7 TEMPORARY PROVISION. (a) This temporary provision applies
8 to the constitutional amendment proposed by the 78th Legislature,
9 Regular Session, 2003, to establish a two-year period for the
10 redemption of a mineral interest sold for unpaid ad valorem taxes at
11 a tax sale and expires January 1, 2005.

12 (b) The amendments to Sections 13(c) and (d), Article VIII,
13 of this constitution, take effect January 1, 2004, and apply only to
14 the redemption of a mineral interest sold at a tax sale for which
15 the purchaser's deed is filed for record on or after January 1,
16 2004. The redemption of a mineral interest sold at a tax sale for
17 which the purchaser's deed is filed for record before January 1,
18 2004, is covered by the law in effect when the deed is filed, and the
19 former law is continued in effect for that purpose.

20 SECTION 3. This proposed constitutional amendment shall be
21 submitted to the voters at an election to be held September 13,
22 2003. The ballot shall be printed to permit voting for or against
23 the proposition: "The constitutional amendment to establish a
24 two-year period for the redemption of a mineral interest sold for
25 unpaid ad valorem taxes at a tax sale."

H.J.R. No. 51

President of the Senate

Speaker of the House

I certify that H.J.R. No. 51 was passed by the House on April 29, 2003, by the following vote: Yeas 141, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 51 on May 30, 2003, by the following vote: Yeas 143, Nays 0, 1 present, not voting.

Chief Clerk of the House

H.J.R. No. 51

I certify that H.J.R. No. 51 was passed by the Senate, with amendments, on May 27, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

RECEIVED: _____

Date

Secretary of State

President of the Senate

Speaker of the House

I certify that H.J.R. No. 51[✓] was passed by the House
(1)

on April 29[✓], 2003, by the following vote:
(2)

Yeas 141[✓], Nays 0, 1 present, not voting[✓];
(3) (4)

and that the House concurred in Senate amendments to H.J.R. No. 51[✓]

on May 30[✓], 2003, by the following
(5)

vote: Yeas 143[✓], Nays 0, 1 present, not voting[✓].
(6) (7)

Chief Clerk of the House

**** Preparation: CT19;

I certify that H.J.R. No. 51[✓] was passed by the Senate, with
(1)

amendments, on May 27[✓], 2003, by the following
(2)

vote: Yeas 31[✓], Nays 0[✓].
(3) (4)

Secretary of the Senate

RECEIVED:

Date

Secretary of State

**** Preparation: CT20;

MB

Kind Thous

proposing a constitutional amendment to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale.

FEB 19 2003

Filed with the Chief Clerk

MAR 03 2003

Read first time and referred to Committee on Local Government Ways and Means

APR 08 2003

Reported ____ favorably (b) (6)

APR 10 2003

Sent to Committee on Calendars

APR 29 2003

Read second time (██████████) (██████████) and adopted (██████████) by a
record vote of 141 yeas, 0 nays, 1 present, not voting

Read third time (amended) and finally adopted (failed of adoption) by a
record vote of _____ yeas, _____ nays, _____ present, not voting

APR 30 2003

Engrossed

APR 30 2003

Sent to Senate

Robert Hancey
CHIEF CLERK OF THE HOUSE

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

APR 30 2003

Received from the House

MAY 07 2003

Read and referred to Committee on **NATURAL RESOURCES**

MAY 13 2003

Rereferred to FINANCE

MAY 23 2003

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

MAY 27 2003

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)

MAY 27 2003

Read second time, amended, and passed to third reading by (unanimous consent)
(a viva voce vote)
(~~yeas.~~ ~~nays~~)

MAY 27 2003

Senate and Constitutional 3 Day Rules suspended by a vote of 31 years, 0 days

MAY 27 2003

Read third time, _____, and passed by 31 years, 0 days

Lotus Law
SECRETARY OF THE SENATE

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 27 2003

Returned from the Senate (~~as substituted~~)
(with amendments)

MAY 30 2003

House concurred in Senate amendments by a (non-record vote)
(record vote of 143 yeas, 0 nays, 1 present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: _____, Chair; _____,

Senate granted House request. Senate conferees appointed: _____, Chair;

Conference committee report adopted (rejected) by the House by a record vote of
_____ yeas, _____ nays, _____ present, not voting

Conference committee report adopted (rejected) by the Senate by a record vote of
_____ yeas, _____ nays

03 MAY 27 PM 6:18

HOUSE OF REPRESENTATIVES

03 APR -9 PM 8:06

HOUSE OF REPRESENTATIVES